

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

MALIK A. POLITE,

Petitioner,

v.

CYNTHIA M. NELSON, *Warden,*
Autry State Prison,

Respondent.

Case No. CV407-175

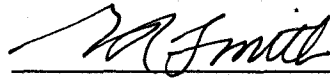
REPORT AND RECOMMENDATION

In an Order dated November 26, 2007, this Court denied plaintiff's motion to proceed *in forma pauperis* and ordered him to pay the \$5.00 filing fee to the Clerk of Court. The Order informed plaintiff that if he failed to pay the filing fee within 20 days of service of the order, his petition would be dismissed.

Nearly two months later, plaintiff has not submitted the filing fee nor made any response to the Court's Order. Plaintiff has willfully disobeyed and neglected an order of this Court. Local Rule 41.1(b). Due to plaintiff's obvious lack of interest in his case and in

the interest of avoiding further judicial waste, the Court finds that a sanction less serious than dismissal will not suffice. Goforth v. Owens, 766 F.2d 1533 (11th Cir. 1985). Accordingly, plaintiff's case should be **DISMISSED**.

SO ORDERED this 14th day of January, 2008.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA